

### REMARKS

Claims 1-12 and 27-32 have been cancelled. Claims 33-35 have been added. No new matter was added by way of the amendments or added claims.

Claims 13-26 were rejected under 35 USC § 102(b) over Batchelder. Batchelder was not identified by patent number in the Office Action, but it is assumed that the Office refers to US Pat. No. 5,472,502, cited in Form 892, and included with this office action. In view of the clarifying amendments, this rejection is respectfully traversed.

Firstly, the Applicants wish to refer the Examiner to the claim amendments made to independent claim 13. Claim 13 has been amended to define the structural features of the claimed proximity head. The proximity head is now defined to have a head surface that includes a plurality of discrete conduits for delivering and removing fluid. These structural features enable the definition of a fluid meniscus that is contained between the head surface and the substrate surface. The embodiment of claim 13 further includes a chamber to house the proximity head. As claimed, the chamber is configured to be supplied with an environmental control gas.

In contrast, Batchelder is directed to the application of fluids that are applied to the surface of a spinning wafer. As defined by Batchelder (see summary):

“...controlling the rate of drying of a high-viscosity, liquid chemical applied to a substantially flat surface of a spinning article. The chemical dries as centrifugal force spreads the chemical over the surface of the spinning article. The drying of the chemical results from the evaporation of a solvent from the chemical. The rate of drying of the chemical is controlled by controlling the saturation level of the solvent, i.e., the amount of solvent vapor, in the local atmosphere in which the article is spinning, i.e. in the airspace adjacent to the surface of the article. To control the saturation level of the solvent in the local atmosphere, a solvent vapor is introduced through a showerhead which is positioned in close proximity to the spinning surface. By spinning the article in a solvent-laden vapor, the evaporation of solvent from the chemical is slowed and therefore the rate at which the chemical dries and thickens is also slowed. No lid or cover is used around the periphery of the spinning article which would be splattered by chemical spilling off the edge of the article and which would necessitate cleaning and the increased potential for surface contamination.”

Notice that Batchelder's applied chemicals are spread by the spinning and substantial splatter occurs when the chemicals fly off of the wafer and into the chamber walls of Figures 11A-12B. Also, Batchelder does not teach conduits for removing the fluid from the surface of

the substrate. The independent claims now define the conduits. The three conduits shown in Figures 7-8 of Batchelder are all for delivering fluids. Batchelder is designed to spin on fluids that fly off of the edge of the substrate, and thus, Batchelder does not teach a meniscus that is *contained* between the head surface and the surface of the substrate. For at least these reasons, it is submitted that Batchelder fails to teach each and every element of claim 13. The Examiner is therefore respectfully requested to withdraw the Section 102 rejection.

Claim 20 was amended to define the proximity head structure, similar to claim 13. Additionally, claim 20 was amended to define the inlet that is located on the head surface. The inlet is separate from the plurality of discrete conduits for delivering and removing the fluid to define the fluid meniscus, and the inlet is defined to apply an environmental control gas to a region between the head surface and the substrate surface that is on a leading edge side of the proximity head. Reference to figure 5 of the present application is referenced, for support. Batchelder does not teach these features, as noted above.

New claim 33 finds support from Figure 4 of the present application. Specifically, Figure 4 defines the two proximity heads and the arms for holding the proximity heads. It is respectfully submitted that Batchelder does not define the claimed structure of new claim 33.

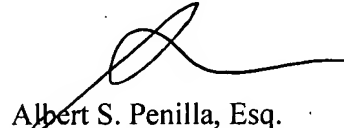
New claim 35 finds support from Figure 2A of the present application. Specifically, Figure 2A defines the sensors that are associated with the respective proximity heads. It is respectfully submitted that Batchelder does not define the claimed structure of new claim 35.

No fees are believed due, as the newly added claims replace the cancelled claims that were paid for upon the original filing.

In view of the foregoing, the Applicants respectfully request reconsideration and submit that the claims are allowable over the rejection presented by the Office.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 774-6903. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. LAM2P467).

Respectfully Submitted,  
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